

City Hall, Lodi, California, November 3, 1919.

In regular session of the Board of Trustees of the City of Lodi, held this date, there were present Trustees Black, Crose and Montgomery. Absent Trustees Hale and Morehead.

Minutes of the previous meeting were read and approved.

In response to Notice Inviting Sealed Proposals under Resolution of Intention No. 26, providing for the paving of South School Street, bids were received from Clark & Henery Construction Company and Hugh Crumney. After canvassing the bids the following resolution was introduced:

RESOLUTION OF AWARD.

WHEREAS, the Board of Trustees of the City of Lodi, did, in open session, on the 3rd day of November, A.D. 1919, publicly open, examine and declare all sealed proposals or bids for doing certain street work in said city, under and in pursuance of the "Improvement Act of 1911," the names of the streets and highways proposed to be improved and the location and character of said proposed work being described in the Resolution of Intention No. 26, of said Board of Trustees, adopted September 22nd, 1919, which Resolution of Intention is hereby expressly referred to for further particulars;

RESOLVED, that the said Board of Trustees hereby reject all of said proposals or bids except that next herein mentioned, and hereby awards the contract for doing said work and improvement to the lowest responsible bidder, to-wit: - CLARK & HENERY CONSTRUCTION COMPANY, at the prices named in its bid. The City Clerk is hereby directed to post Notice of this award conspicuously for five days, on or near the Council Chamber door of this Board of Trustees and also publish said notice three times in "THE LODI SENTINEL", a tri-weekly newspaper published and circulated in said city, and hereby designated for that purpose by said Board, said newspaper being the official newspaper of said City of Lodi.

Upon motion of Trustees Crose, seconded by Trustee Montgomery, the foregoing Resolution of Award was adopted by the following vote:

Ayes: Trustees Crose, Montgomery and Black.

Noes: None.

Absent: Trustees Hale and Morehead.

RESOLUTION NO. 68.

Resolution approving diagram showing district affected and benefitted by the improvement of Walnut Street and to be assessed for the cost and expenses of the said improvement.

RESOLVED, that the diagram prepared and submitted by L.F. Barzellotti, City Engineer, showing the district affected and benefitted by the improvement of, and to be assessed for the cost and expenses of the improvement of Walnut Street, (as described in Resolution of Intention No. 24 of the Board of Trustees of the City of Lodi, passed July 21st, 1919,) be and the same is hereby approved, and the City Clerk is hereby directed to endorse said approval on said diagram and deliver the same to the Superintendent of Streets.

The foregoing Resolution No. 68 was adopted by the following vote:

Ayes: Trustees Crose, Montgomery and Black.

Noes: None.

Absent: Trustees Hale and Morehead.

Lodi Methodist Episcopal Church was granted permission to move the church parsonage from 109 W. Oak St. to the rear of the new church on South Church Street.

R. H. DeVinney, for the M. E. Church, asked for permission to remove certain shade trees from the front of the church property on Oak and Church streets. Upon motion permission was granted to remove all the trees necessary for the removal of the building from 109 West Oak Street to the said lot.

RESOLUTION NO. 69

Resolution approving diagram showing district affected and benefitted by the improvement of Oak Street and to be assessed for the cost and expenses of the said improvement.

RESOLVED, that the diagram prepared and submitted by L. F. Barzellotti, City Engineer, showing the district affected and benefitted by the improvement of , and to be assessed for the cost and expenses of the improvement of OAK STREET, ( as described in Resolution of Intention No. 25 of the Board of Trustees of the City of Lodi, passed July 28th, 1919,) be and the same is hereby approved, and the City Clerk is hereby directed to endorse said approval on said diagram , and deliver the same to the Superintendent of Streets.

The foregoing resolution No. 69 was adopted by the following vote:

Ayes: Trustees Montgomery, Crose and Black.

Noes: None.

Absent: Trustees Hale and Morehead.

W. H. Lorenz and J. C. Bewley took up with the Board the matter of connecting Lodi's paved streets with the State Highway asking the City to take some action toward having the improvement done at an early date. A letter from the California State Highway Commission to J. T. Langford quoting the law permitting municipalities to do improvement work on State Highways was read in support of their claim that the work could be done by the city. No action was taken.

RESOLUTION NO. 70.

Relating to issuance of street improvement bonds under proceedings taken pursuant to Resolution of Intention No. 19 for the improvement of Locust Street from Hutchins Street to Cherokee Lane and determining the amount of the unpaid assessments.

BE IT RESOLVED, by the Board of Trustees of the City of Lodi, as follows:

WHEREAS, the Board of Trustees of the City of Lodi on the 24th day of March, 1919, adopted its Resolution of Intention No. 19 for the improvement of Locust Street from the East line of Hutchins Street to the West line of School Street, and from the East line of School Street to the West line of Sacramento Street, and from the East line of Sacramento Street to the East City Limits, being the West line of Cherokee Lane in said City of Lodi, under and pursuant to the provisions of the "Improvement Act of 1911" and amendments thereto, and pursuant to the provisions of the "Improvement Bond Act of 1915" and amendments thereto, and to the resolutions, notices and other proceedings of said City duly adopted and taken, reference to said Resolution of Intention being hereby expressly made for further particulars; and

WHEREAS, the contract for said work and improvement was duly awarded and the work to be done thereunder was thereafter duly completed to the satisfaction of the Superintendent of Streets of said City, and of this Board, whereupon a warrant, diagram and assessment were made, recorded and delivered to the contractor

in time, form and manner as required by said act, and the contractor having made due return thereon and the same having been duly recorded; and

WHEREAS, on the 20th day of October, 1919 the Street Superintendent of said City made and filed with the Clerk of this Board a complete list of all assessments unpaid thereunder upon the respective assessments or diagram numbers thereof, whereupon said Clerk gave notice of the filing of said list and fixed in said notice Monday the 3rd day of November, 1919 at the hour of 8 o'clock P. M., and the regular meeting place of said Board of Trustees, to-wit: The City Hall in said City of Lodi as the time and place respectively when interested persons might appear before the Board of Trustees and show cause why bonds should not be issued upon the security of the unpaid assessments shown on said list, said time being that of a regular meeting of said Board, and

WHEREAS, it satisfactorily appears from the affidavits produced that the Clerk of this Board has caused to be given due notice by posting and publication as required by law of the filing by the Superintendent of Streets of the list of all unpaid assessments made under said Resolution of Intention No. 19 of said City; and

WHEREAS, since said filing by the Superintendent of Streets of the aforesaid list of unpaid assessments, the following assessments have been paid to the proper officer of the City, to-wit:

Assessment numbers: 9- 56; 53; 62; 73; 75; 76; 77; 85; 86; 87; 92; 94; 96; 97; 98; 99; 119; 120; 121; 122; 151; 153; 158; 160; and 161 aggregating the total sum of \$ 7,428.95, leaving a balance due on account of said unpaid assessments of \$ 7,999.92 and

WHEREAS, no protests or objections were presented against the issuance of bonds as aforesaid before or at the time set for said hearing, and no sufficient reason having been shown why bonds should not be issued upon the security of said unpaid assessments aggregating the total sum of \$ 7,999.92, and it further appearing that said list of unpaid assessments filed by the Superintendent of Streets is in all respects complete and correct, excepting therefrom the assessments paid since the filing of the same as hereinbefore set forth;

BE IT RESOLVED, that said list of unpaid assessments as filed

by the Superintendent of Streets was in all respects complete and correct at the time of said filing; and that since said time assessments numbered: 9; 36; 53; 62; 73; 75; 76; 77; 85; 86; 87; 92; 94; 96; 97; 98; 99; 119; 120; 121; 122; 131; 153; 158; 160 and 161 have been paid.

And the Board hereby finds and determines that the unpaid assessments made pursuant to the proceedings taken under said Resolution of Intention No. 19 and the aggregate amount of the same are as follows:-

<u>OWNER</u>	<u>ASSESSMENT NUMBER</u>	<u>AMOUNT</u>
UNKNOWN	24	18.77
"	57	500.00
"	38	274.35
"	54	438.96
"	55	329.22
"	56	109.74
"	57	219.48
"	70	685.88
"	88	38.66
"	100	522.23
"	101	539.08
"	104	202.15
"	105	336.92
"	115	234.20
"	117	468.41
"	127	303.21
"	132	539.08
"	133	326.53
"	150	255.81
"	157	255.81
"	159	255.81
"	163	122.38
"	168	255.81
"	174	255.81
"	181	255.81
"	191	255.81

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The Board further finds and determines that the aggregate amount of said assessments unpaid is the sum of \$ 7,999.92

The foregoing resolution No. 70 was adopted by the following vote:

Ayes: Trustees Crose, Montgomery and Black.

Noes: None.

Absent: Trustees Hale and Morehead.

RESOLUTION NO. 71.

Providing for the issuance of improvement bonds to represent and be secured by assessments made for the cost of the work and improvements made in and upon LOCUST STREET, from Hutchins Street to Cherokee Lane, in the City of Lodi, and to provide for the sale thereof.

BE IT RESOLVED, by the Board of Trustees of the City of Lodi as follows:

WHEREAS, this Board of Trustees by its Resolution of Intention No. 19 providing for the Improvement of Locust Street from the East line of Hutchins Street to the West line of School Street, and from the East line of School Street to the West line of Sacramento Street, and from the East line of Sacramento Street to the East City Limits, being the West line of Cherokee Lane in the City of Lodi, determined that serial bonds to represent unpaid assessments and to bear interest at the rate of seven per cent per annum, would be issued thereunder in the manner provided by the "Improvement Bond Act of 1915" and amendments thereto, and that the last installment of which bonds should mature nine (9) years from the 2nd day of July next succeeding nine months from their date, and

WHEREAS, the work to be done under said Resolution of Intention No. 19 has been completed to the satisfaction of the Superintendent of Streets, and of the Board of Trustees; and the Superintendent of Streets on the 20th day of October, 1919 filed with the Clerk of the Board of Trustees a complete list of all unpaid assessments made under said proceeding, and

WHEREAS, this Board of Trustees has this day found and determined that the aggregate amount of the unpaid assessments is the sum of \$ 7,999.92

NOW, THEREFORE, BE IT RESOLVED, as follows:-

Street Improvement bonds to be issued pursuant to the provisions of the "Improvement Bond Act of 1915" and amendments thereto, evidencing the aforesaid indebtedness, shall be issued to the aggregate amount of \$7,999.90 and the number, denomination and character of such bonds shall

be as follows:

Said bonds shall be dated the 3rd day of November, 1919 and shall be of the character known as serials. One tenth part of the total amount of the bonds evidencing said indebtedness shall be payable on the 2nd day of July 1921, and one-tenth part of said total indebtedness shall be payable on the 2nd day of July of each and every year thereafter to and including the 2nd day of July 1930.

Said total indebtedness shall be evidenced by ten (10) bonds of the denomination of five hundred (500) dollars each; ten (10) bonds of the denomination of two hundred (200) dollars each; and ten (10) bonds of the denomination of ninety nine and 99/100 (99.99) dollars each. One of said bonds of the denomination of five hundred (500) dollars each; one of said bonds of the denomination of two hundred (200) dollars each; and one of said bonds of the denomination of ninety nine and 99/100 (99.99) dollars each shall mature and be payable on the 2nd day of July 1921, and one of said bonds of a like denomination shall mature and be payable on the 2nd day of July of each and every year thereafter to and including the 2nd day of July 1930. Said bonds shall be numbered 1 to 30, both inclusive, as follows:-

<u>SERIES</u>	<u>BOND NUMBER</u>	<u>DENOMINATION.</u>	<u>DATES OF MATURITIES</u>
D-1	1	\$500.00	July 2, 1921
D-1	2	200.00	July 2, 1921
D-1	3	99.99	July 2, 1921
D-2	4	500.00	July 2, 1922
D-2	5	200.00	July 2, 1922
D-2	6	99.99	July 2, 1922
D-3	7	500.00	July 2, 1923
D-3	8	200.00	July 2, 1923
D-3	9	99.99	July 2, 1923
D-4	10	500.00	July 2, 1924
D-4	11	200.00	July 2, 1924
D-4	12	99.99	July 2, 1924
D-5	13	500.00	July 2, 1925
D-5	14	200.00	July 2, 1925
D-5	15	99.99	July 2, 1925
D-6	16	500.00	July 2, 1926
D-6	17	200.00	July 2, 1926
D-6	18	99.99	July 2, 1926
D-7	19	500.00	July 2, 1927
D-7	20	200.00	July 2, 1927
D-7	21	99.99	July 2, 1927
D-8	22	500.00	July 2, 1928
D-8	23	200.00	July 2, 1928
D-8	24	99.99	July 2, 1928
D-9	25	500.00	July 2, 1929
D-9	26	200.00	July 2, 1929
D-9	27	99.99	July 2, 1929
D-10	28	500.00	July 2, 1930
D-10	29	200.00	July 2, 1930
D-10	30	99.99	July 2, 1930

Said bonds shall be in substantially the following form to-wit:

No. \_\_\_\_\_

IMPROVEMENT BOND

\$ \_\_\_\_\_

CITY OF LODI,

STATE OF CALIFORNIA.

SERIES NO. \_\_\_\_\_

Under and by virtue of the act of the legislature of the State of California, entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued", approved June 11th, 1915, and amendments thereto, the City of Lodi (a municipal corporation) will on the second day of July 19\_\_, out of the redemption fund for the payment of the bonds issued upon the assessments made for the work upon and improvements on Locust Street from the East line of Hutchins Street to the West line of School Street, and from the West line of School Street to the West line of Sacramento Street, and from the East line of Sacramento Street to the East City Limits, being the West line of Cherokee Lane in said City, as more fully described in Resolution of Intention No. 19 passed by the Board of Trustees of said municipality on the 24th day of March, 1919, pay to bearer the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_) with interest thereon from the 20th day of October, 1919, at the rate of seven (7) per cent per annum, all as is hereinafter specified, and at the office of the treasurer of said municipality.

This bond is one of several annual series of bonds of like date, tenor and effect, but differing in amounts and maturities, issued by said municipality under said act for the purpose of

providing means for paying for the work and improvements described in said Resolution of Intention, and is secured by the moneys in said redemption fund and by the unpaid assessments made for the payment of said work, and, including principal and interest, is payable exclusively out of said fund.

The interest is payable semi-annually, to-wit: On the second days of January and July in each year hereafter, upon presentation of the proper coupons therefor; provided, that the first of said coupons is for the interest to the second day of January, 1921, and thereafter the interest coupons are for the semi-annual interest.

This bond will continue to bear interest after maturity at the rate above stated; provided, it is presented at maturity and payment thereof is refused upon the sole ground that there is not sufficient moneys in said redemption fund with which to pay same. If it is not presented at maturity interest thereon will run until maturity.

This bond may be redeemed and paid in advance of maturity upon the second day of July in any year by giving the notice provided in said act.

IN WITNESS WHEREOF, said City of Lodi has caused this bond to be signed by the Treasurer of said City of Lodi and by its Clerk, and has caused its Clerk to affix thereto its corporate seal all on the 3rd day of November, 1919.

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Treasurer

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Clerk

Said bonds shall bear interest at the rate of seven per cent per annum, payable on the second days of January and July of each year, commencing January 2nd, 1921.

There shall be attached to each bond an interest coupon for each semi-annual payment of interest to become due thereon, and each coupon shall be in such an amount as to represent six months interest on the bond to which it is attached, except that the coupon representing the interest due January 2nd, 1921, shall be for such an amount as may represent the interest on each of said bonds respectively from the 20th day of October, 1919 to the 2nd day of January 1921.



Said coupons shall be numbered consecutively according to the order of their payment, and shall be substantially in the following form, to-wit:-

Coupon No. \_\_\_\_\_ Bond No. \_\_\_\_\_

Improvement Bond- City of Lodi.

On the 2nd day of \_\_\_\_\_, A. D. 19\_\_\_\_, the City of Lodi will pay to the bearer hereof, at the office of the City Treasurer in said City, County of San Joaquin, State of California, the sum of \_\_\_\_\_, said sum being the interest due on that date upon the above numbered improvement bond.

Series No. \_\_\_\_\_  
\_\_\_\_\_  
City Treasurer.

The City Treasurer and City Clerk are hereby authorized and directed to sign each and every one of said bonds, and the City Clerk is authorized and directed to affix thereto the corporate seal of the City, and the City Treasurer is hereby authorized and directed to sign each and every one of the coupons attached to said bonds, provided however, that the City Treasurer in signing said coupons may use and adopt his printed or lithographed signature, in place of his signature by hand.

Said bonds shall be issued in annual series, and the unpaid assessments as shown on said list filed by the Superintendent of Streets and determined by said Board of Trustees together with interest thereon, shall remain and constitute a trust fund for the redemption and payment of said bonds and of the interest which may be due thereon, which unpaid assessments shall be payable in annual series corresponding in number to the number of series of bonds issued, and an even annual proportion of each assessment shall be payable in each year preceding the date of maturity for each of the several series of bonds issued, and such proportion of each assessment coming due in any year together with the annual interest thereon, shall be payable in installments as the general municipal taxes of said City of Lodi on real property are payable and shall become delinquent at the same times and in the same proportionate amounts and bear the same proportionate penalties and interest for delinquency.

Sealed proposals for the purchase of said improvement bonds will be received by said Clerk up to the hour of eight o'clock P. M. on Monday the 24th day of November, 1919. Bids must be for not less than par value of the bonds and accrued interest. The right is reserved to reject any and all bids. If a satisfactory bid be received, the successful bidder may be allowed ten days for examination of the proceedings authorizing the issue of said bonds, and may make his bid subject to the legality of said proceedings. Bids must be accompanied by certified check or cashier's check on some responsible bank in the sum of ten per cent of the par value of the amount of bonds bid for, such check to be made payable to H. S. Clark, City Clerk.

The City Clerk is hereby directed to advertise for bids for such bonds as herein provided by publishing notice inviting bids, once a week for two weeks in the Lodi Sentinel. Said notice shall be in substantially the following form:

Sealed bids for the purchase of street improvement bonds of the City of Lodi, in the County of San Joaquin, State of California, will be received by the undersigned City Clerk of said City of Lodi, up to eight o'clock P. M., Monday the 24th day of November, 1919. Such bids shall be addressed to the undersigned and must be for not less than par value of the bonds bid for, with accrued interest to date of delivery. The right is reserved to reject any or all bids. The successful bidder will be allowed ten days for examination of the proceedings, and bids may be made subject to the legality of the proceedings. Each bid must be accompanied by a certified check or cashier's check upon some responsible bank in a sum equal to ten per cent of the par value of bonds bid for. Such checks shall be made payable to the undersigned.

Said issue of bonds aggregate the total sum of \$7,999.90 bearing interest at the rate of seven per cent per annum, payable semi-annually on the 2nd day of January and July of each year. Said bonds are of the following denominations: ten (10) bonds of the denomination of five hundred (500) dollars each; ten (10) bonds of the denomination of two hundred (200) dollars each; and ten (10) bonds of the denomination of ninety nine and 99/100 (99.99) dollars each, and are dated November 3rd, 1919.

said bonds are of the Character known as Serials, and one (1) of said bonds of the denomination of five hundred (500) dollars each; one (1) of said Bonds of the denomination of two hundred (200) dollars each, and one (1) of said bonds of the denomination of Ninety nine and 99/100 (99.99) dollars each is payable annually from July 2nd, 1921, to July 2nd, 1930, both inclusive, and are issued pursuant to the provisions of the "Improvement Bond Act of 1915", and amendments thereto, and pursuant to proceedings taken by the Board of Trustees of the City of Lodi under Resolution of Intention No. 19.

\_\_\_\_\_  
City Clerk.

By order of the Board of Trustees.

Dated November 3rd, 1919.

The foregoing Resolution No. 71 was passed and adopted by the following vote:

Ayes: Trustees Montgomery, Crose and Black.

Noes: None.

Absent: Trustees Hale and Morehead.

RESOLUTION NO. 72.

Authorizing and directing delivery of bonds issued pursuant to the provisions of Resolution of Intention No. 18, and "The Improvement Bond Act of 1915" and amendments thereto, to the CITY BANK OF STOCKTON, California, (assignee of Clark & Henery Construction Company, the contractor).

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE CITY OF LODI AS FOLLOWS:

WHEREAS, the City Clerk, pursuant to the provisions of Resolution No. 64, adopted October 6th, 1919, caused to be duly published a notice inviting sealed bids for the purchase of Street Improvement Bonds dated October 6th, 1919, and aggregating the total sum of \$1,280.70, and issued pursuant to the provisions of the "Improvement Bond Act of 1915" and amendments thereto, and pursuant to proceedings taken by the Board of Trustees of the City of Lodi under Resolution of Intention No. 18 and

WHEREAS, said Resolution No. 64 provided that bids would be received by the City Clerk up to the hour of eight o'clock P. M. on Monday November 3rd, 1919, and said published notice contains a

like provision, and

WHEREAS, no bid or bids was or were received by the City Clerk for the purchase of said Street Improvement Bonds within the times limited and provided for in said Resolution and Notice;

NOW, THEREFORE, BE IT RESOLVED that the President of the Board of Trustees and the City Clerk be and they are hereby authorized and directed to deliver said Bonds in the aggregate total amount of \$1,280.70 to the City Bank of Stockton, California (assignee of Clark & Henery Construction Company) the Contractor who performed the work under said Resolution of Intention No. 18, in satisfaction of the sum due said Contractor upon its assessment and warrant. Said Bonds so to be delivered consist of ten (10) bonds of the denomination of one hundred twenty-eight and 07/100 (128.07) dollars each, and are of the character known as Serials. One of said bonds of the denomination of one hundred twenty-eight and 07/100 (128.07) dollars is payable annually from July 2nd, 1921, to July 2nd, 1930, both inclusive.

Upon motion of Trustee Montgomery, seconded by Trustee Crose, the foregoing resolution No. 72 was adopted by the following vote:

Ayes: Trustees Montgomery, Crose and Black.

Noes: None.

Absent: Trustees Hale and Morehead.

Upon motion of Trustee Montgomery, seconded by Trustee Crose, the Superintendent was authorized to remove the 100% American sign from the Pine Street Arch.

Miscellaneous bills amounting to \$5690.01, having been passed by the Finance Committee, were allowed and ordered paid.

No further business appearing the Board adjourned until the next regular meeting, November 17, 1919.

Attest:

W. B. Clark  
City Clerk.